

BILL NO. 84-57

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 84-57

Introduced by Council President Hardwicke at the request of the County Executive  
Legislative Day No. 84-32 Date October 9, 1984

AN ACT to repeal and re-enact with amendments, Subsection (3), heading, Cottage Houses, of Subsection (f), heading, Residential Uses, of Section 25-8.3, heading, Standards for Specific Special Exceptions, of Article II, heading, Zoning Code, of Chapter 25, heading, Zoning, of the Harford County Code, as amended; to redefine requirements for Cottage House Use; and to generally provide for Cottage House Use in certain zoning districts.

By the Council, October 9, 1984

Introduced, read first time, ordered posted and public hearing scheduled

on: November 13, 1984

at: 6:30 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on November 13, 1984 and concluded on November 13, 1984.

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. Be It Enacted By The County Council of Harford  
2 County, Maryland, that Subsection (3), heading, Cottage Houses, of  
3 Subsection (F), heading, Residential Uses, of Section 25-8.3,  
4 heading, Standards for Specific Special Exceptions, of Article II,  
5 heading, Zoning Code, of Chapter 25, heading, Zoning, of the  
6 Harford County Code, as amended, be, and is hereby repealed and  
7 re-enacted with amendments, all to read as follows:

8 Chapter 25. Zoning.

9 Article II. Zoning Code.

10 Section 25-8.3. Standards for Specific Special Exceptions.

11 The Special Exceptions enumerated herein in addition to other  
12 conditions as may be imposed by the Board shall comply with the  
13 following requirements:

14 (E) Residential Uses.

15 (3) Cottage Houses. A second dwelling on a single lot  
16 may be granted in the AG, RR, R1, R2, R3, R4, and VR districts  
17 provided that:

18 [(a) The second dwelling shall be of a temporary  
19 nature. The use shall terminate and the dwelling shall be removed  
20 within sixty (60) days when the need no longer exists or if the  
21 primary parcel is transferred or assigned. The second dwelling  
22 shall be occupied by a grandparent, parent, child, brother or  
23 sister, aunt or uncle of the owner and resident residing on the  
24 primary parcel.

25 (b) The occupant of the temporary second dwelling  
26 shall be more than sixty-two (62) years old, or have a disabling  
27 physical or mental condition which requires continued care and  
28 attention.]

29 (a) THE SECOND DWELLING SHALL BE OF A TEMPORARY  
30 NATURE. THE USE SHALL TERMINATE AND THE DWELLING SHALL BE  
31 REMOVED WITHIN SIXTY (60) DAYS WHEN THE NEED NO LONGER EXISTS OR  
32 IF THE PRIMARY PARCEL IS TRANSFERRED OR ASSIGNED. EITHER THE

1 PERMANENT DWELLING OR THE SECOND DWELLING SHALL BE OCCUPIED BY A  
2 GRANDPARENT, PARENT, CHILD, BROTHER OR SISTER, AUNT OR UNCLE OF  
3 THE OWNER AND RESIDENT RESIDING ON THE PRIMARY PARCEL.

4 (b) THE OCCUPANT OF THE PERMANENT DWELLING OR THE  
5 TEMPORARY SECOND DWELLING SHALL BE MORE THAN SIXTY-TWO (62) YEARS  
6 OLD, OR HAVE A DISABLING PHYSICAL OR MENTAL CONDITION WHICH  
7 REQUIRES CONTINUED CARE AND ATTENTION.

8 (c) The primary parcel shall be a minimum area of  
9 fifteen thousand (15,000) square feet. The cottage house shall  
10 meet the setbacks for accessory buildings.

11 (d) If such dwellings are mobile homes, skirting of  
12 a compatible material shall substitute for a foundation.

13 (e) The applicant shall submit to the Zoning  
14 Administrator a statement from a physician as to the continued  
15 need based on the original approval every two (2) years. Within  
16 sixty (60) days prior to the expiration of the two (2) year  
17 approval period, the Department shall notify the applicant that  
18 the cottage house approval will expire at the end of the approval  
19 period. Failure of the applicant to provide the Department with a  
20 statement from a physician will result in termination of the  
21 cottage house approval. To re-establish cottage house approval,  
22 the applicant shall obtain Board of Appeals approval.

23 (f) Prior to the Department of Planning and Zoning  
24 accepting an application for A cottage house, the applicant shall  
25 provide the Department with a letter of approval from the Harford  
26 County Department of Health, stating that the water and sewer  
27 facilities for the cottage house meet State Health Department  
28 Requirements.

29 (g) Cottage house approval shall not be grounds or  
30 evidence for hardship for future use variance.

31 Section 2. And Be It Further Enacted that this Act shall take  
32 effect sixty (60) calendar days from the date it becomes law.

EFFECTIVE: January 14, 1935

The Secretary of the Council does hereby  
certify that fifteen (15) copies of this Bill  
are immediately available for distribution to  
the public and the press.

2 *Angela Markowski* 84-57 Secretary

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BY THE COUNCIL

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Read the third time.

Passed LSD 84-35 (November 13, 1984)

Failed of Passage \_\_\_\_\_

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 14th day of November, 1984  
at 3:00 o'clock P.M.

Angela Markowski, Secretary



APPROVED:

BY THE EXECUTIVE

[Signature]  
County Executive

Date 11-15-84

BY THE COUNCIL

This Bill (No. 84-57), having been approved by the Executive  
and returned to the Council, becomes law on November 15, 1984.

Angela Markowski, Secretary

EFFECTIVE DATE: January 14, 1985

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